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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/616,631	07/26/2000	Thomas Francis McGee III	US 000163	9403

24737 7590 12/03/2003

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

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BRIARCLIFF MANOR, NY 10510

EXAMINER

WOO, ISAAC M

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 12/03/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/616,631

**Applicant(s)**

MCGEE ET AL.

**Examiner**

Isaac M Woo

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,6,7,12,13 and 19 is/are rejected.
- 7) ☒ Claim(s) 2-5, 8-11, 14-18 and 20-24 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 29, 2003 has been entered.

2. Claims 1-5, 7-11, 13 and 19 are amended. The pending claims are 1-24.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 6-7, 12-13 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mauldin et al (U.S. Patent No. 5,664,227, hereinafter, "Mauldin").

With respect to claims 1, 7, 13, and 19, Mauldin discloses the apparatus, system, method and computer-executable instructions stored on a computer-readable storage medium for automatically classifying video signals (video segments, col. 3, lines 21-55), keyframe classifier for segmenting the audio and video signals into an initial set of one or more story segment, see (12, fig.1, col. 4, lines 35-67, fig.2, fig.3, fig.4, key frames identified from video signal, col. 5, lines 16-59, col. 6, lines 15-24, col. 7, lines 1-10), text classifier controller adapted for providing multiple classifications of text (text transcripts data is segmented, col. 4, lines 53-67), the text classifier reading text having at least one keyword contained within at least one of the story segments (col. 3, lines 20-31), and being adapted for identifying keywords within text (col. 3, lines 20-31), and, in response to identifying at least one of the keywords within text (col. 3, lines 20-31), classifying the text as a part of one or more classifications of video signals that have been segmented into the at least one story segment, see (col. 4, lines 53-67). Mauldin discloses the identifying and classifying keywords from text (col. 3, lines 20-31, 12, fig.1, col. 4, lines 35-67, fig.2, fig.3, fig.4, key frames identified from video signal, col. 5, lines 16-59, col. 6, lines 15-24, col. 7, lines 1-10). Mauldin does not explicitly disclose the identifying and classifying keywords "from within each line of the text". However, Mauldin discloses the video contents (text, video, and audio data) paragraphing, and identifying keywords from text paragraphs, see (col. 5, lines 16-44, col. 3, lines 20-31). The text paragraphs include a multiple lines of text. Therefore, it would have been obvious to a person having ordinary skill in the art the time of the invention was made to include the identifying and classifying keywords "from within each line of the text" in the

system of Mauldin to identify keywords from each line of text. Because text classifier parses each line of text to identify keyword for every single text line.

With respect to claims 6 and 12, Maudlin discloses the text classifier controller comprises an algorithm for reading lines of text to identify keywords contained within the lines of text, wherein the algorithm classifies each line of text in a keyword category, that has the largest number of keywords in the line of text, see (col. 4, lines 17-67 to col. 5, lines 1-57, col. 6, lines 15-62).

### ***Claim Objections***

5. Claims 2-5, 8-11, 14-18 and 20-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Laumeyer et al (U.S. Patent No. 6,266,442) discloses the system for rapidly analyzing frame(s) of digitized video data which may include objects of interest randomly distributed throughout the video data and wherein said objects are susceptible

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to detection, classification, and ultimately identification by filtering said video data for certain differentiable characteristics of said objects. The present invention may be practiced on pre-existing sequences of image data or may be integrated into an imaging device for real time, dynamic, object identification, classification, logging/counting, cataloging, retention (with links to stored bitmaps of said object), retrieval, and the like. The present invention readily lends itself to the problem of automatic and semi-automatic cataloging of vast numbers of objects such as traffic control signs and utility poles disposed in myriad settings. When used in conjunction with navigational or positional inputs, such as GPS, an output from the inventive system indicates the identity of each object, calculates object location, classifies each object by type, extracts legible text appearing on a surface of the object (if any), and stores a visual representation of the object in a form dictated by the end user/operator of the system.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (703) 305-0081. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

IMW  
November 25, 2003

  
**SHAHID ALAM**  
**PRIMARY EXAMINER**